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Superior Court  
Of Snohomish County

ADMINISTRATIVE ORDER 37-14

**ACCESS AND RETENTION OF REQUESTS AND ORDERS  
FOR EXPERT SERVICES**

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Adopted: January 8, 2014

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Snohomish County Superior Court hereby adopts the following procedure for access and retention of requests for a trial defense expert, investigator, or other service provider under CrR 3.1 (f), RCW 71.05.100, 71.05.217, or RCW Chapter 71.09, and the invoicing of the expert, investigator or other service provider, during the pendency of the case in this court, as an interim procedure, pending the establishment of an effective date to GR 31.1 by the Washington State Supreme Court. This Order is effective upon adoption.

1. All requests for a defense expert, investigator, or other service provider under RCW Chapter 71.05, RCW Chapter 71.09, or CrR 3.1 (f) by counsel, or a pro se litigant shall be made using the form attached to this administrative order. All such requests shall set forth:

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- (a) The basis for determining that the defendant or juvenile respondent is financially unable to afford the requested services; and
  - (b) Full justification for a determination that the requested services are necessary to an adequate defense.
- 2. All documents related to an attorney's request for a defense expert, investigator, or other services, including the Request Form and Declaration of counsel or a defendant, any order of the court authorizing requested services at public expense, and the invoicing of the expert, investigator or other service provider are administrative records exempt from public access pursuant to GR 31.1 (l) (6).
- 3. The administrative records described above shall be maintained by the Superior Court Administrator or his/her designee, and shall not be filed with court records in the case file maintained by the Snohomish County Clerk.
- 4. The Administrative records subject to this Administrative Order shall be retained for six (6) years, except for requests for defense experts, investigators or other services in aggravated murder cases. The administrative records subject to this Administrative Order in aggravated murder cases shall be maintained in perpetuity. The administrative records shall be destroyed upon expiration of the specified retention period.

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5. The total amount of public funds authorized or expended for expert, investigator, or other services in a case or an aggregate of cases pursuant to this Administrative Order, CrR 3.1 (f), GR 31.1 (l) (6), RCW 71.05.100, RCW 71.05.217, or RCW Chapter 71.09, shall be disclosed to the public, upon request, by the Superior Court Administrator or designee, notwithstanding any other provision of this Administrative Order, GR 31.1 (l) (6), or CrR 3.1 (f).

DATED this 8th day of January, 2014

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Michael T. Downes, Presiding Judge

Supersedes: New 1/8/2014
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Snohomish County Superior Court  
3000 Rockefeller M/S #502  
Everett, WA 98201  
(425) 388-3421 (425) 388-3498 FAX

Internal Use Only:  
Request Number: \_\_\_\_\_

## REQUEST for EXPERT SERVICES

### SUPERIOR COURT EXPERT FEE POLICY

The Superior Court Judiciary is the approving authority for compensation and utilization of professional services related to cases involved in Superior Court. Upon proof of necessity and reasonableness, Judges and/or Court Administration may approve requests for professional services and/or fees at public expense in criminal cases, juvenile offender proceedings, and proceedings initiated under RCW Chapter 71.05 or RCW Chapter 71.09. All Authorization for payment of expert fees must be preauthorized by the Court **BEFORE** any work is done. This policy encompasses all services other than a lawyer authorized by Cr.R. 3.1(f) for indigent adult/juvenile offenders, involuntary commitment cases under RCW 71.05.100 and 71.05.217, and Sexually Violent Predator cases under RCW Chapter 71.09. Only defendants who are determined to be financially unable to obtain services necessary for an adequate defense will be approved as determined by the Office of Public Defense or Judicial review of the defendants upon submission of an Forma Pauperis. *The Court will only pay the amounts authorized by this form.*

### GENERAL CASE INFORMATION

Defendant's Last Name:		First Name:		Middle Initial:
Case Number:	Charge:		Custody Status: <input type="checkbox"/> In <input type="checkbox"/> Out	
Attorney of Record/or Party initiating Request:		E-mail address:		Contact Phone ( )
<input type="checkbox"/> Defendant/Party has been screened by OPD as Indigent		<input type="checkbox"/> Attached information - Declaration/Forma Pauperis		
<input type="checkbox"/> Adult Criminal Case		<input type="checkbox"/> Juvenile Offender Case	<input type="checkbox"/> Involuntary Commitment Case	<input type="checkbox"/> SVP Case
Attorney is <input type="checkbox"/> Appointed		<input type="checkbox"/> Retained	<input type="checkbox"/> Pro Bono	<input type="checkbox"/> Pro Se
Type of Service Requested: <input type="checkbox"/> Psychological Evaluation <input type="checkbox"/> Psychiatric Evaluation <input type="checkbox"/> DNA Expert <input type="checkbox"/> Travel <input type="checkbox"/> Forensic Expert <input type="checkbox"/> Investigator <input type="checkbox"/> Sexual Deviancy Evaluation <input type="checkbox"/> Polygraph <input type="checkbox"/> Other _____				<input type="checkbox"/> First Request  Previous Requests for Expert Funding totals: _____ <i>include explanation for this additional order in declaration.</i>
Trial Date: _____				

Name of Service Provider: \_\_\_\_\_

Professional Certifications: ☐ resume attached

Hourly Rate: \_\_\_\_\_

Number of Hours: \_\_\_\_\_

Total Requested Amount: \_\_\_\_\_

Mileage/Travel Costs (*must be preapproved and meet per diem rates*): \_\_\_\_\_

### Legal Justification - Full Description of Scope of Work - Funding Parameters

- ☐ Attached **Mandatory Declaration** which describes the type of expert, the necessity of expert serves to an adequate defense, a full description of work to be accomplished, number of hours and hourly rate as well as community comparables for like services.  
☐ Attached **Professional Resume** for Expert

Signature \_\_\_\_\_

Date \_\_\_\_\_

### Internal Use Only

☐ Denied ☐ Approved for Total: \_\_\_\_\_ Hourly Amount: \_\_\_\_\_

Name: \_\_\_\_\_  
Superior Court Judge or Assistant Court Administrator

Additional Narrative can be Completed on the Backside of this Form